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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
WILMA LOWE,)
)
)
vs.) No. 15-0584
)
COMMONWEALTH EDISON COMPANY.)
)
Complaint as to billing/charges)
in Chicago, Illinois.)

Chicago, Illinois

December 2, 2015

Met pursuant to notice at 10:17 a.m.

BEFORE:

MS. JESSICA L. CARDONI, Administrative Law Judge.

1 APPEARANCES:

2

3 MR. MARK L. GOLDSTEIN and
4 MR. AARON JIMENEZ,
5 3019 Province Circle
6 Mundelein, Illinois 60060
7 847.949.1340

8 on behalf of Commonwealth Edison Company;

9 MS. WILMA LOWE

10 7138 South Euclid

11 Chicago, Illinois 60649

12 on behalf of herself.

13

14

15

16 SULLIVAN REPORTING COMPANY, by
17 Christa Yan, CSR, RPR
18 License No. 084-004816

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
None.					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None.		

1 JUDGE CARDONI: Pursuant to the authority of
2 the Illinois Commerce Commission, I now call
3 Docket 15-0584. It's Wilma Lowe's complaint versus
4 Commonwealth Edison Company. It's a complaint as to
5 billings/charges in the Chicago, Illinois.

6 Will the parties present please
7 identify themselves for the record?

8 MR. GOLDSTEIN: Yes.

9 For Commonwealth Edison Company, Mark
10 L. Goldstein, 3019 Province Circle, Mundelein,
11 Illinois 60060. My telephone number is 847.949.1340.
12 And with me this morning is Aaron Jimenez of ComEd.

13 JUDGE CARDONI: Okay. And for the record it is
14 10:18 a.m., and Ms. Lowe is not present today. She
15 has been in contact with the company and has given no
16 indication that she wouldn't be appearing.

17 My office has not heard from her, so
18 we will continue this case to January 6th at
19 11:00 a.m.

20 Is there anything else?

21 MR. GOLDSTEIN: I have nothing else, Judge.

22 JUDGE CARDONI: Okay. Thank you.

1 MR. GOLDSTEIN: Thank you.

2 (Whereupon, Ms. Lowe appeared

3 and the matter proceeded with

4 Ms. Lowe present.)

5 JUDGE CARDONI: Pursuant to the authority of

6 the Illinois Commerce Commission, I now call

7 Docket 15-0584. It's Wilma Lowe's complaint versus

8 Commonwealth Edison Company. It's a complaint as to

9 billings/charges in the Chicago, Illinois.

10 Will the parties present please

11 identify themselves for the record? Ms. Lowe?

12 MS. LOWE: Wilma N. Lowe.

13 JUDGE CARDONI: And your address?

14 MS. LOWE: 7138 South Euclid, E-u-c-l-i-d,

15 60649.

16 JUDGE CARDONI: Okay. And for the company?

17 MR. GOLDSTEIN: For Commonwealth Edison

18 Company, Mark L. Goldstein, 3019 Province Circle,

19 Mundelein, Illinois 60060. My telephone number is

20 847.949.1340. And with me this morning is Aaron

21 Jimenez of ComEd.

22 JUDGE CARDONI: Okay. This is the first status

1 hearing that we're having in this case. The parties
2 have spoken briefly.

3 Ms. Lowe, would you like to kind of
4 generally tell us what your complaint is today?

5 MS. LOWE: Yes. It's impossible. First of
6 all, if I hadn't paid a bill in five years, there is
7 no way in the world ComEd would let you get \$11,000
8 behind in your bill; that's the first place.

9 The second place is I want to know
10 where the bills come from. They told me -- when I
11 tried to get some evidence and some records, they
12 told me they don't keep no bills.

13 So how in the world can they tell me
14 that they don't have no way to prove that that's my
15 bill?

16 JUDGE CARDONI: So is your --

17 MS. LOWE: And I -- go ahead.

18 JUDGE CARDONI: Go ahead.

19 MS. LOWE: Go ahead.

20 JUDGE CARDONI: So is your current bill then
21 \$11,000?

22 MS. LOWE: That's what they say.

1 JUDGE CARDONI: Okay. So are you currently
2 paying any amount toward that bill?

3 MS. LOWE: Yes. I paid like by \$2,300 last
4 month. I think it was about \$2,300. Every time I
5 pay a bill, the next couple of days I get a shutoff
6 notice.

7 So I paid 500, 700, stuff like that.
8 I don't know.

9 JUDGE CARDONI: Okay. And then you said in
10 your complaint that your home was sold in 2002?

11 MS. LOWE: It was sold in 2002, yes.

12 JUDGE CARDONI: Okay. And were you residing in
13 your home in 2002?

14 MS. LOWE: I was until they put me out.

15 JUDGE CARDONI: Okay. And did you receive
16 bills between 2002 and 2014?

17 MS. LOWE: I didn't.

18 JUDGE CARDONI: You didn't.

19 MS. LOWE: No.

20 JUDGE CARDONI: But you had electricity?

21 MS. LOWE: No, I wasn't there.

22 JUDGE CARDONI: Oh. You weren't there.

1 MS. LOWE: No, I wasn't there.

2 JUDGE CARDONI: Okay. I'm just trying to --

3 MS. LOWE: The way I look at it, I think that
4 they just continually used my name, and --
5 continually used it. But I don't even see how
6 someone like that can even accumulate the \$11,000.
7 What they did -- at one time, they took off \$4,000
8 because there was an error. They put it on from
9 someone else's address.

10 Now, if they can put \$4,000 on here
11 from somebody else's address, where did this other
12 money come from?

13 Last year, I was on PIPP. And if you
14 don't pay PIPP, they cut you off of PIPP.

15 JUDGE CARDONI: Correct.

16 MS. LOWE: So I was on PIPP all last year until
17 they cut the program out. So I might have not paid
18 it a couple of times this month or last month because
19 when I called -- you can pay it by phone. And when I
20 tried to pay it, they said you had to pay \$11,000.

21 And another thing that you all did to
22 me; I don't even have heat. The reason I don't have

1 heat is because you all stopped me from getting a
2 furnace. That, I'm going to take up with the Judge.
3 You all stopped me from even getting the heat.

4 I applied for a furnace in October.
5 And when I applied for it, they said that -- in this
6 letter, they said that -- ComEd said that I had to
7 pay \$9,000 before they would even consider it.

8 Now, this guy know everything that
9 happened. That's -- he's the head of household
10 finance.

11 JUDGE CARDONI: Okay. Ms. Lowe, do you have
12 electric heat or gas heat?

13 MS. LOWE: I was gas heat.

14 JUDGE CARDONI: Okay. So that probably
15 wouldn't be a complaint with ComEd. It would be a
16 complaint with your gas supplier.

17 MS. LOWE: No. The furnace. It's the furnace.

18 JUDGE CARDONI: Okay.

19 MS. LOWE: It's the furnace that I applied for
20 through CEDA.

21 JUDGE CARDONI: And what is CEDA? What is
22 that?

1 MS. LOWE: CEDA is the program for low income
2 that helps you pay your bill and give you a furnace
3 when your furnace breaks out. And in this particular
4 case, they told ComEd -- I mean told the people not
5 to give me one because I had to pay \$9,000 before I
6 could get a furnace.

7 JUDGE CARDONI: Okay. Can I just ask a couple
8 more questions here?

9 MS. LOWE: Sure.

10 JUDGE CARDONI: So you moved out in 2002 from
11 your residence on Euclid?

12 MS. LOWE: Yes.

13 JUDGE CARDONI: Okay. And then you moved back
14 in 2014?

15 MS. LOWE: Yes. February 2014.

16 JUDGE CARDONI: Okay. And that's when you
17 started receiving these bills?

18 MS. LOWE: That's when they transferred all the
19 bills to me.

20 JUDGE CARDONI: So your complaint begins in
21 February 2014 --

22 MS. LOWE: Yes.

1 JUDGE CARDONI: -- is what you're saying.

2 MS. LOWE: Yes.

3 JUDGE CARDONI: Okay.

4 MS. LOWE: But they had sent the bill then.

5 They started shortly after.

6 JUDGE CARDONI: Okay. So sometime after

7 February 2014 --

8 MS. LOWE: Yes.

9 JUDGE CARDONI: -- when you moved back in, you

10 started receiving bills from ComEd.

11 MS. LOWE: Yes.

12 JUDGE CARDONI: And they were for somewhere in

13 the neighborhood of 11,000.

14 MS. LOWE: Right.

15 JUDGE CARDONI: Okay.

16 MS. LOWE: And all last year, like I said, I

17 was on PIPP.

18 JUDGE CARDONI: Okay.

19 MS. LOWE: And I don't know how they keep their

20 records, but on PIPP, if you don't pay your bill, you

21 ain't going to be on PIPP. So they pay so much, and

22 you pay so much.

1 JUDGE CARDONI: Okay.

2 MS. LOWE: And I stayed on PIPP until they
3 discontinued the program. That was last year.

4 JUDGE CARDONI: And when you moved out in 2002,
5 where did you move to? Did you move to a different
6 residence?

7 MS. LOWE: Relatives.

8 JUDGE CARDONI: Okay.

9 MS. LOWE: I had no choice.

10 JUDGE CARDONI: I understand.

11 Do you have any proof of where you
12 were living during that time?

13 MS. LOWE: Quite a few places. I was a gypsy.

14 JUDGE CARDONI: Okay.

15 MS. LOWE: I don't know how I could prove that.

16 JUDGE CARDONI: I mean, could you have the
17 relatives come in and explain that you were living
18 with them at that time?

19 MS. LOWE: I'm sure I could.

20 JUDGE CARDONI: Okay. Okay.

21 Mr. Goldstein, do you have anything to
22 add?

1 MR. GOLDSTEIN: Yeah.

2 We don't show anything about a \$2,300

3 payment --

4 JUDGE CARDONI: Okay.

5 MR. GOLDSTEIN: -- from Ms. Lowe.

6 MS. LOWE: What's the date of your thing right

7 there?

8 MR. GOLDSTEIN: Covers 2014 and to this date in

9 2015. The only payment we show for the period from

10 December of 2014 through November of 2015 is 169 on a

11 heat payment.

12 MS. LOWE: What about the 332, 400, and 540?

13 MR. GOLDSTEIN: Well, there was a deposit that

14 was required when they established service for you.

15 I don't know how all that works. But the bottom line

16 is that there's not been a lot of payment made on the

17 electric bill.

18 MS. LOWE: What about the 332, the 400, and the

19 540 --

20 MR. JIMENEZ: There's one for 332 in January.

21 MR. GOLDSTEIN: Yeah. Is that actual payment?

22 MR. JIMENEZ: Yeah, that is a payment.

1 MS. LOWE: And a payment 213 or 400?

2 MR. JIMENEZ: 400 in January.

3 MR. GOLDSTEIN: \$540 payment, but --

4 MS. LOWE: That was on --

5 MR. GOLDSTEIN: Yeah. We don't show a 2,300

6 payment.

7 MS. LOWE: Altogether it was 23 -- I don't know

8 if it --

9 MR. GOLDSTEIN: About \$1,300.

10 MS. LOWE: I paid the --

11 MR. GOLDSTEIN: Plus maybe \$1,400.

12 MS. LOWE: I might be mistaken about that. It

13 might be the gas bill I paid \$2,300.

14 Now, common sense will tell you that

15 if this is my gas bill, how in the world would my

16 light bill -- and I have a ten-bedroom house that

17 runs two furnaces -- and my gas bill is \$200-and some

18 a month in the wintertime. And you said it would

19 take \$500 a month for how many years? Come on with

20 that brain now.

21 MR. GOLDSTEIN: I don't remember what I said

22 about --

1 MS. LOWE: I said how long --

2 MR. GOLDSTEIN: \$5,000 over a three-year period

3 or something to run up \$5,000 worth of electric

4 bills.

5 MS. LOWE: So if we would do 11,000, how long

6 would it take if a bill was just \$300 a month? I'm

7 looking at the ticket. How long would it take --

8 MR. GOLDSTEIN: Three years.

9 MS. LOWE: Okay. Three years to run up \$11,000

10 with \$300 a month. Okay.

11 So that meant that ComEd would let me

12 sit there for three years and not pay no bill and not

13 cut me off. Is that what you're saying?

14 MR. GOLDSTEIN: I'm saying --

15 MS. LOWE: How did that happen?

16 MR. GOLDSTEIN: I'm saying that you're --

17 MS. LOWE: How did that happen?

18 MR. GOLDSTEIN: I have no idea how that

19 happened.

20 MS. LOWE: Well, if you ain't got no idea, how

21 am I going to have an idea what happened?

22 JUDGE CARDONI: Okay. Ms. Lowe, is it correct

1 that you would like to have a lawyer represent you?

2 You don't have to have a lawyer, but if you'd like to

3 have a lawyer represent you --

4 MS. LOWE: I can't afford a lawyer, but if --

5 this lawyer right here, he said he was coming. At

6 that particular time, it was an interview.

7 MR. GOLDSTEIN: Yeah.

8 MS. LOWE: And he said that he -- when I called

9 him yesterday his name was Horteridge [phonetic].

10 MR. GOLDSTEIN: If you look at the large print

11 of the bottom of the CVLS --

12 MS. LOWE: I know. I ain't have no lawyer yet.

13 MR. GOLDSTEIN: CVLS has not agreed to

14 represent you, and the person's name you showed and

15 you've talked about this morning was merely the

16 person who --

17 MS. LOWE: Interviewed me.

18 MR. GOLDSTEIN: Yeah, interviewed you, and I

19 don't know if he's actually an attorney.

20 MS. LOWE: No, he was not an attorney. What

21 they do is they interview you, and then they give it

22 to an attorney. And the attorney's name was

1 Horteridge. And what you say your name was?

2 MR. GOLDSTEIN: Goldstein.

3 MS. LOWE: Oh. You Goldstein. I thought you

4 said Horteridge.

5 MR. GOLDSTEIN: No.

6 MS. LOWE: What's your first name?

7 MR. GOLDSTEIN: Mark. It's on my appearance

8 form, which you have in your paperwork.

9 MS. LOWE: I did come to you.

10 MR. GOLDSTEIN: No, you did not.

11 MS. LOWE: Was you on -- what's the name of the

12 street? I came to a Goldstein when I was trying to

13 get a lawyer for my case.

14 MR. GOLDSTEIN: It was not me.

15 JUDGE CARDONI: Do you both think it is

16 worthwhile to have another status hearing or to go to

17 an evidentiary hearing?

18 MR. GOLDSTEIN: I think she ought to come in

19 with an attorney. If she can't get one, we'll talk

20 further with her. One more status might work.

21 JUDGE CARDONI: Okay. Ms. Lowe, if we have

22 another status hearing where you could either find a

1 lawyer, bring a lawyer, or come alone, you don't have
2 to have a lawyer, would you be able to come back here
3 on the 6th of January at 11:00 o'clock?

4 MS. LOWE: Yes.

5 JUDGE CARDONI: Okay. And we can talk further
6 about your complaint.

7 MS. LOWE: Yes.

8 JUDGE CARDONI: And potentially set a date for
9 you to bring in all of your information and have an
10 evidentiary hearing. And at that time you probably
11 would need to bring your witnesses and any bills that
12 you have and any other information that you have to
13 prove your case.

14 MS. LOWE: Here's what I want to know. And I
15 certainly hope you can tell me. If they could show
16 me where this comes from, I need to know where it
17 come from.

18 JUDGE CARDONI: I encourage you to exchange
19 information with ComEd and to speak during this time
20 period perhaps you can work out the case without
21 having to come back. Okay?

22 MS. LOWE: Okay. I'm eager to settle the case.

1 JUDGE CARDONI: Okay.

2 MS. LOWE: I am because it's about to drive my
3 nuts.

4 JUDGE CARDONI: Okay. So we'll set another
5 status hearing for January 6th at 11:00 a.m., and
6 you'll perhaps bring an attorney, and we'll talk
7 further at that time.

8 MS. LOWE: Okay.

9 JUDGE CARDONI: And then what will happen after
10 that is we'll have an evidentiary hearing like I just
11 explained. We'll put on your case.

12 MS. LOWE: Okay.

13 JUDGE CARDONI: And then I will write up an
14 order with my decision, and then you'll have another
15 opportunity to respond to that in writing.

16 MS. LOWE: Mm-hmm.

17 JUDGE CARDONI: And then it will go before the
18 Commission. And the Commissioners are the ones that
19 make the decision. Do you have any questions about
20 that?

21 MS. LOWE: Yes, I have questions about -- I
22 can't get a furnace because they blocked me. I got

1 the letter. I want them to unblock me where I can --
2 they told the Commission that I had to pay \$9,000
3 before I could get -- I'm looking for the letter
4 because it came from you, and I couldn't imagine -- I
5 was already in court in the Illinois Commerce
6 Commission, how could you block me from getting a
7 furnace? They're supposed to not be able to do that.
8 And I talked to Iona [phonetic] at the Illinois
9 Commerce Commission. They filed a case for me.

10 JUDGE CARDONI: Is she a consumer counselor?

11 MS. LOWE: Yes. She said they can't stop you
12 from getting a furnace. I said, "Well, tell me what
13 they can't do, they just did it." It's just not
14 fair.

15 JUDGE CARDONI: Okay. This sounds like
16 something you should talk to potentially with
17 Mr. Goldstein about, and if it's still unresolved, we
18 can talk about it further at the next hearing.

19 MS. LOWE: Okay.

20 JUDGE CARDONI: Because I'm not sure what --

21 MS. LOWE: I'm willing to do anything to get
22 this thing settled. All except pay \$11,000. I don't

1 have it.

2 JUDGE CARDONI: Okay.

3 MS. LOWE: I got all the papers that somebody

4 else living in the building.

5 JUDGE CARDONI: Ms. Lowe, do you have any other

6 questions for me about how this works?

7 MS. LOWE: No.

8 JUDGE CARDONI: Okay.

9 MS. LOWE: I think I'm just about -- I do know

10 that I'm asking you to tell them to bring me some

11 information and tell me some bills come from.

12 JUDGE CARDONI: Okay. Well, Mr. Goldstein, do

13 you have anything else?

14 MR. GOLDSTEIN: I have nothing else.

15 JUDGE CARDONI: Okay. Well it'll be entered

16 and continued till the 6th of January at 11:00.

17 Thank you.

18 (Whereupon, the matter was

19 continued on January 6, 2016,

20 at 11:00 a.m.)

21

22